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HAYES SOLOWAY P.C. 3450 E. SUNRISE DRIVE, SUITE 140 TUCSON, AZ 85718			PETERS, MARK	
			ART UNIT	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	Application No. 10/786,279	Applicant(s) BANISTER, MARK	
	Examiner MARK PETERS	Art Unit 1728	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12/29/2010.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,5-11,14-33 and 36-38 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 5-11, 14-33, 36-38 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on December 29, 2010 has been entered.

Summary

This Office Action is in response to the Amendments to the Claims and Remarks filed December 29, 2010.

In view of the Amendments to the Claims filed December 29, 2010, the rejections of claims 1, 5-11, 14-33, & 36-37 under 35 U.S.C. 112, first paragraph, and 35 U.S.C. 103(a) previously presented in the Office Action sent November 9, 2010 have been withdrawn.

Claims 1, 5-11, 14-33, & 36-38 are currently pending and have been fully considered.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 6-8, & 14-15 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 6 refers to “electric components”. This is indefinite because it is not clear which of the “battery layer”, “circuitry layer”, “photovoltaic layer”, and/or “illuminator layer” is being referred to. For the purpose of examination an “electric component” will be interpreted as any component capable of producing, storing, discharging, or being rendered operable by the application of electricity.

Claim 7 refers to “electrical components”. This is indefinite because it is not clear which of the “battery layer”, “circuitry layer”, “photovoltaic layer”, and/or “illuminator layer” is being referred to. For the purpose of examination an “electrical component” will be interpreted as any component capable of producing, storing, discharging, or being rendered operable by the application of electricity.

Claim 8 refers to “electrical components”. This is indefinite because it is not clear which of the “battery layer”, “circuitry layer”, “photovoltaic layer”, and/or “illuminator layer” is being referred to. For the purpose of examination an “electrical component” will be interpreted as any component capable of producing, storing, discharging, or being rendered operable by the application of electricity.

Claim 14 refers to “electrical component layers”. This is indefinite because it is not clear which of the “battery layer”, “circuitry layer”, “photovoltaic layer”, and/or “illuminator layer” is being referred to. For the purpose of examination an “electrical component layer” will be interpreted as any component capable of producing, storing, discharging, or being rendered operable by the application of electricity.

Claim 15 refers to “non-electrical component layers”. This is indefinite because it is not clear which of the “base sealing layer”, “protective surface”, and/or “adhesive” is being referred to. For the purpose of examination a “non-electrical component layer” will be interpreted as any component not capable of being rendered operable by the application of electricity.

Claim 5 recites the limitation “said electrical circuitry” in line 2. There is insufficient antecedent basis for this limitation in the claim. For the purpose of examination “said electrical circuitry” will be interpreted as “said flexible electrical circuitry layer”.

Claim 6 recites the limitation “said electric components” in line 2. There is insufficient antecedent basis for this limitation in the claim. For the purpose of examination “said electric components” will be interpreted as “an electric component”.

Claim 7 recites the limitation “said electrical circuitry” in line 2. There is insufficient antecedent basis for this limitation in the claim. For the purpose of examination “said electrical circuitry” will be interpreted as “said flexible electrical circuitry layer”.

Claim 7 recites the limitation “said electrical components” in line 3. There is insufficient antecedent basis for this limitation in the claim. For the purpose of examination “said electrical components” will be interpreted as “an electrical component”.

Claim 8 recites the limitation "said circuitry" in line 2. There is insufficient antecedent basis for this limitation in the claim. For the purpose of examination “said circuitry” will be interpreted as “said flexible electrical circuitry layer”.

Claim 8 recites the limitation “said electrical components” in line 2. There is insufficient antecedent basis for this limitation in the claim. For the purpose of examination “said electrical components” will be interpreted as “an electrical component”.

Claim 9 recites the limitation "said electrical circuitry" in line 2. There is insufficient antecedent basis for this limitation in the claim. For the purpose of examination “said electrical circuitry” will be interpreted as “said flexible electrical circuitry layer”.

Claim 10 recites the limitation "said electrical circuitry" in line 2. There is insufficient antecedent basis for this limitation in the claim. For the purpose of examination “said electrical circuitry” will be interpreted as “said flexible electrical circuitry layer”.

Claim 11 recites the limitation "said electrical circuitry" in line 1. There is insufficient antecedent basis for this limitation in the claim. For the purpose of

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examination "said electrical circuitry" will be interpreted as "said flexible electrical circuitry layer".

Claim 11 recites the limitation "said photovoltaic" in line 2. There is insufficient antecedent basis for this limitation in the claim. For the purpose of examination "said photovoltaic" will be interpreted as "said flexible thin film photovoltaic layer".

Claim 14 recites the limitation "the electrical component layers" in line 1. There is insufficient antecedent basis for this limitation in the claim. For the purpose of examination "the electrical component layers" will be interpreted as "an electrical component layer".

Claim 15 recites the limitation "the non-electrical component layers" in line 1. There is insufficient antecedent basis for this limitation in the claim. For the purpose of examination "the non-electrical component layers" will be interpreted as "a non-electrical component layer".

Claim 38 recites the limitation "the electrical circuitry" in line 1. There is insufficient antecedent basis for this limitation in the claim. For the purpose of examination "the electrical circuitry" will be interpreted as "the flexible electrical circuitry layer".

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

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invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148

USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims 1, 5-11, 14-33, & 36-38 are rejected under 35 U.S.C. 103(a) as being unpatentable over US-2002/0159245 to Murasko et al. ("Murasko '245") in view of US-6,160,215 to Curtin ("Curtin") further in view of JP-62-106671 to Yamamura ("Yamamura") further in view of JP-59-217991 to Kakite et al. ("Kakite").

As to claim 1, Murasko '245 teaches a fully contained solar powered laminated electrical tape illuminated device comprising stacked layers including a substrate **202** (claimed "base sealing layer") that can be plastic; a photocell **208** (i.e., a photovoltaic that is illuminated by the sun) (claimed "thin film photovoltaic layer"); a power supply **204**, such as a thin film battery (claimed "thin film battery layer"), for storing electricity produced by the photocell **208**; a light emitting device **206**, such as an electroluminescent lamp (claimed "illuminator layer"); electrical circuitry **214** for connecting the components; and, as a protective surface, a light transmissive, electrically insulating material (claimed "protective surface"). (Murasko '245 paragraphs 0023-0025 and fig. 2.) Murasko '245 teaches that the overall device, and consequently its components, has flexibility because the device is "very thin" and can be laminated to

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flexible fabrics, such as in tents or backpacks, via an adhesive (Murasko '245 paragraph 0028.).

This laminated system reads on a "tape" in that Murasko '245 discloses adhesive backing for these devices (Murasko '245 paragraph 0028).

Murasko '245 does not explicitly teach a removable covering over the adhesive, an electrical circuitry layer between the thin film battery layer and the thin film photovoltaic layer, the thin film photovoltaic layer overlying the thin film battery layer, the illuminator layer overlying the thin film photovoltaic layer or the device having the claimed order of layers.

Curtin teaches providing solar cells having an adhesive layer over an outer protective surface, and a removable backing over a clear adhesive layer that allows the cell to be affixed to any desired substrate. (Figure 6; Abstract; Column 4, lines 16-19)

It would have been obvious to one having ordinary skill in the art at the time of invention to modify the device of Murasko '245 by including a removable backing on the adhesive layer, as taught by Curtin, because a skilled artisan would have recognized the advantage of such a backing in that it allows easier handling of the devices prior to affixing on a surface. (i.e. no adhesion until desired, no need to apply an adhesive immediately prior to mounting)

Yamamura teaches reduction in the number of parts of a laminated solar battery device and simplified assembly achieved by disposing a charge storage device (Capacitor) on the non-light receiving surface of a thin-film solar

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cell assembly. (Constitution section of Abstract; Figure 1) Figure 1 further illustrates an insulating layer **18** located between the solar cell **17** and the charge storage device **22**, and a metal strip that traverses this intermediate insulating layer **18** to electrically connect metal electrode **19** of the charge storage device **22** and the transparent electrode **12** of the solar cell **17** (Yamamura fig. 1.). Said metal strip electrically connecting cell **17** and device **22** would read on the claimed "electrical circuitry layer".

It would have been obvious to one having ordinary skill in the art at the time the invention was made to further modify the device of Murasko '245 by disposing the thin film charge storage device on the non-light receiving surface of the thin film solar cell, as taught by Yamamura, because Yamamura teaches that such a design reduces the number of parts required and simplifies the assembly of the device (Purpose section), and because the rearrangement of parts is a matter of obviousness (MPEP 2144.04 VI C).

Kakite is cited for teaching a conventional configuration of a solar powered illumination device. Kakite provides a translucent illuminator (7) overlying the thin-film photovoltaic layer (11) and other underlying layers, with the translucent illuminator positioned adjacent transparent protective layer 1. (Figures 1 and 2; provided partial translation)

In addition, as to the claimed order of layers, Kakite demonstrates that it is conventional to position the illuminator layer (7) on the light-receiving side of the photovoltaic cell between the cell (11) and the protective layer (1).

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Selection of such a known configuration of layers in a solar-powered illumination device amounts to a matter of design choice, obvious to one having ordinary skill in the art at the time of invention. Only the expected result of a functioning illumination device would have resulted from the combination, and full expectation of success would be present in the combination, as the references are concerned with solar powered illumination devices. The teachings of Yamamura and Kakite demonstrate the obviousness of selecting the instantly claimed sequence of layers. (MPEP 2144.04 VI C)

As to claim 5, Murasko '245 in view of Curtin in view of Yamamura in view of Kakite teaches the limitations of claim 1. In an alternate embodiment, Murasko '245 also teaches a second electroluminescent lamp connected to the power supply, which can be illuminated at different times than the first lamp. (Paragraph 0037) Such a second lamp requires a separate, alternative power outlet (i.e. from battery) and inlet (i.e. to second electroluminescent lamp) as required by claim 5.

Within the cited embodiment of Figure 2, Murasko '245 et al does not explicitly disclose an alternative power inlet and outlet as claimed in claim 5.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the device of the embodiment of Figure 2 of Murasko '245 by connecting a second lamp to a battery, as taught in Paragraph 0037 of Murasko '245, because it would increase the illumination provided by the system and enable a wider variety of display

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designs powered by a single cell/battery unit. Such a system would have lower manufacturing costs than two lamps powered by separate cell/battery units, providing additional motivation for such an arrangement.

As to claim 6, Murasko '245 in view of Curtin in view of Yamamura in view of Kakite teaches the limitations of claim 1. The substrate required in the structure of Murasko '245 has a finite thermal conductivity, and will dissipate heat at a corresponding rate. Thus, the structure meets the limitations of this claim in that it will dissipate the heat.

As to claims 7-9, Murasko '245 in view of Curtin in view of Yamamura in view of Kakite teaches the limitations of claim 1. Murasko '245 discloses light-sensing switches (Paragraph 0027), which sense ambient light levels, and actuate a switch operable to turn the lamp on or off. Such switches read on the claims.

As to claim 10, Murasko '245 in view of Curtin in view of Yamamura in view of Kakite teaches the limitations of claim 1. In a different embodiment, Murasko '245 teaches signal receivers/transmitters as claimed (Paragraph 0036; microprocessor control).

Murasko '245 does not explicitly teach the transmitters and receivers in the embodiment of figure 2.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the device of the embodiment of Figure 2 of Murasko '245 by using a computer to control the illumination performed by the system, because this

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would enable desirable complex illumination patterns, such as those described in paragraph 0036, for creative and attractive displays.

As to claim 11, Murasko '245 in view of Curtin in view of Yamamura in view of Kakite teaches the limitations of claim 1. It is the Examiner's position that the "electrical circuitry layer" of Yamamura inherently prevents electric current drain through the solar cell.

As to claim 14, Murasko '245 in view of Curtin in view of Yamamura in view of Kakite teaches the limitations of claim 1. Murasko '245 discloses a transparent front electrode of the electroluminescent lamp. (Paragraph 0027)

As to claim 15, Murasko '245 in view of Curtin in view of Yamamura in view of Kakite teaches the limitations of claim 1. Murasko '245 discloses transparent non-electrical layers. (Paragraph 0025, "light-transmissive" coatings)

As to claim 16, Murasko '245 in view of Curtin in view of Yamamura in view of Kakite teaches the limitations of claim 1.

Murasko '245 does not teach a transparent adhesive.

Curtin teaches providing solar cells having an adhesive layer over an outer protective surface, and a removable backing over a clear adhesive layer that allows the cell to be affixed to any desired substrate. (Figure 6; Abstract; Column 4, lines 16-19)

It would have been obvious to one having ordinary skill in the art at the time of invention to use a clear adhesive, as taught by Curtin, because it would allow adhesion of the device on the interior side of windows and the like, increasing the protection of the devices from damage while still allowing light to reach the solar cell and the light from the electroluminescent lamps to be visible from the exterior.

As to claim 17, Murasko '245 in view of Curtin in view of Yamamura in view of Kakite teaches the limitations of claim 1. The electroluminescent lamp of Murasko '245 emits electromagnetic radiation having a frequency, which reads on the claim.

As to claims 18-21 & 36, Murasko '245 in view of Curtin in view of Yamamura in view of Kakite teaches the limitations of claim 17. Murasko '245 discloses the electroluminescent lamp comprising an organic light emitting diode. (Paragraph 0021)

As to claim 22, Murasko '245 in view of Curtin in view of Yamamura in view of Kakite teaches the limitations of claim 1. Any material that transmits light and has a refractive index other than one reads on this claim. The light-transmissive substrate **202** of Murasko '245 meets the limitation (Murasko '245 paragraph 0024).

As to claims 23-24, Murasko '245 in view of Curtin in view of Yamamura in view of Kakite teaches the limitations of claim 1. A metallic substrate, as disclosed in paragraph 0025 of Murasko '245 would be reflective, and oriented to reflect light in one or more directions.

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As to claims 25-26, Murasko '245 in view of Curtin in view of Yamamura in view of Kakite teaches the limitations of claim 1. The organic polymers listed in paragraph 0021 of Murasko '245 are fluorescent and luminescent.

As to claim 27, Murasko '245 in view of Curtin in view of Yamamura in view of Kakite teaches the limitations of claim 1. The electrically insulative substrate **202** is a dielectric material (Murasko '245 paragraph 0024).

As to claim 28, Murasko '245 in view of Curtin in view of Yamamura in view of Kakite teaches the limitations of claim 1. Conventional metallic substrates, as used by Murasko '245, are smooth (Murasko '245 paragraph 0025).

As to claim 29, Murasko '245 in view of Curtin in view of Yamamura in view of Kakite teaches the limitations of claim 1. The device as claimed includes the removable backing over the adhesive, which is at an exterior surface. Curtin teaches a paper backing (Column 4, lines 7-16), and paper is textured.

As to claim 30, Murasko '245 in view of Curtin in view of Yamamura in view of Kakite teaches the limitations of claim 1. Figure 2 of Murasko '245 discloses photocell **208** as a single layer.

As to claims 31-32, Murasko '245 in view of Curtin in view of Yamamura in view of Kakite teaches the limitations of claim 1. Murasko '245 teaches using the laminated devices for signs, billboards, or other illuminated designs or images. (Murasko '245 paragraph 0028)

Within the cited embodiment of figure 2, Murasko '245 does not explicitly disclose the edge to edge assembly/lamination required by claims 31 and 32.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to place plural laminated adhesive devices of the embodiment of figure 2 of Murasko '245 adjacent each other in making a sign, billboard or other display design, depending on what shape or design is desired. Adjacent placement of these devices reads on the limitations of these claims.

As to claim 33, Murasko '245 in view of Curtin in view of Yamamura in view of Kakite teaches the limitations of claim 1. Murasko '245 discloses using plural devices to provide a signal. (Murasko '245 paragraph 0028)

As to claim 37, Murasko '245 in view of Curtin in view of Yamamura in view of Kakite teaches the limitations of claim 1. This claim is directed to formation of the claimed product by a specified process, and does not further limit the claimed structure. "[E]ven though product-by-process claims are limited by and defined by the process, determination of patentability is based on the product itself. The patentability of a product does not depend on its method of production. If the product in the product-by-process claim is the same as or obvious from a product of the prior art, the claim is unpatentable even though the prior product was made by a different process." *In re Thorpe*, 777 F.2d 695, 698,227 USPQ 964, 966 (Fed. Cir. 1985) As there is no evident structural difference between the

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structure of the prior art and that claimed, the claim is rejected on the same grounds as claim 1.

As to claim 38, Murasko '245 in view of Curtin in view of Yamamura in view of Kakite teaches the limitations of claim 1. Yamamura figure 1 shows that the claimed "electrical circuitry layer" is plated onto transparent electrode **12** that corresponds with the electrode connections for the solar cell **17** and charge storage device **22** (Yamamura figure 1).

Response to Arguments

Applicant's arguments filed December 29, 2010 have been fully considered but they are not persuasive.

Applicant asserts that none of the cited references provides any teaching or suggestion of an electrical circuitry layer as required by the independent claim 1. This argument is considered moot in view of the new grounds of rejection presented above where Yamamura figure 1 shows a strip of metal that traverses the intermediate insulating layer **18** to electrically connect metal electrode **19** of the charge storage device **22** and the transparent electrode **12** of the solar cell **17** (Yamamura fig. 1.).

Applicant argues that Murasko '245 does not teach the "stacked layers" required by the independent claim 1. This is unpersuasive because Murasko '245 is not relied upon to teach the claimed "stacked layers". Murasko '245 teaches that it was known at

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the time of invention to combine all of the components required by the independent claim 1 into a single device. The claimed stacked arrangement is properly motivated by the teachings of Yamamura and Kakite.

Applicant argues there is no motivation to combine Murasko '245 with Yamamura because Yamamura teaches a capacitor as opposed to a battery which is taught by Murasko '245 and required by independent claim 1. This is unpersuasive because Yamamura is not relied upon for substitution of a battery with a capacitor, but for a motivation of stacking a solar cell and a charge storage device, which one having ordinary skill in the art would understand includes both batteries and capacitors.

Applicant argues that Curtin fails to teach the "stacked order" of layers required by claim 1. This is unpersuasive because Curtin is not relied upon for a teaching of stacked layers.

Applicant argues that Kakite fails to teach the stacked order of each and every layer of the claimed device. This is unpersuasive because Kakite is only relied upon to motivate the stacked order of the illuminator layer and the photovoltaic layer.

In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

In response to applicant's argument that the examiner's conclusion of obviousness is based upon improper hindsight reasoning, it must be recognized that any judgment on obviousness is in a sense necessarily a reconstruction based upon hindsight reasoning. But so long as it takes into account only knowledge which was within the level of ordinary skill at the time the claimed invention was made, and does not include knowledge gleaned only from the applicant's disclosure, such a reconstruction is proper. See *In re McLaughlin*, 443 F.2d 1392, 170 USPQ 209 (CCPA 1971).

In response to applicant's argument that the examiner has combined an excessive number of references, reliance on a large number of references in a rejection does not, without more, weigh against the obviousness of the claimed invention. See *In re Gorman*, 933 F.2d 982, 18 USPQ2d 1885 (Fed. Cir. 1991).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MARK PETERS whose telephone number is (571) 270-7959. The examiner can normally be reached on M-Th 8am-4pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jennifer Michener can be reached on (571) 272-1424. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for

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/MARK F. HUFF/

Supervisory Patent Examiner, Art Unit 1721

/Mark Peters/

Examiner, Art Unit 1728